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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/533,554	03/22/00	SATO	Y OPS CASE 489

EXAMINER

MMC2/1221
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PEREZ,G

ART UNIT	PAPER NUMBER
2834	3

DATE MAILED:
12/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/533,554	SATO, YOSHIO	
	Examiner	Art Unit	
	Guillermo Perez	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-15 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)☐ All b)☐ Some * c)☒ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)
16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other: .

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on June 4, 1999. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b).

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on January 6, 2000. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Obara (JP 07290251).

Referring to claim 1, Obara discloses a driving unit of a welding equipment provided with a pressure application shaft (10) that is driven by a motor (1) comprising:

a screw shaft (10) provided integrally with or substantially integrally with a rotary shaft (9) of the motor;

a nut (11) provided integrally with or substantially integrally with the pressure application shaft and is screwed with a screw of the screw shaft; and

a baffling mechanism (A) provided on the pressure application shaft;

wherein the rotary shaft of the motor is positioned substantially coaxial with the screw shaft and a rotary force outputted from the rotary shaft of the motor is converted into a reciprocating motion of the pressure application shaft.

Referring to claim 2, Obara discloses that the screw shaft (10) is integrally provided on the rotary shaft (9) of the motor by extending the rotary shaft of the motor in the output direction of the motor to form the screw shaft on the extension portion.

Referring to claim 3, Obara discloses that the screw shaft (10) is substantially integrally provided on the rotary shaft (9) of the motor by boring a hole at the output side of the rotary shaft (7) of the motor, and inserting one end of the screw shaft into the hole.

Referring to claim 4, Obara discloses that the screw shaft (10) is substantially integrally provided on the rotary shaft (7, 9) of the motor by rendering the rotary shaft of the motor hollow to form a hollow portion and allowing and fixing the screw shaft (10) to penetrate the hollow portion to fix the screw shaft to the hollow portion.

Referring to claim 5, Obara discloses that the screw shaft (10) is substantially integrally provided on the rotary shaft (9) of the motor by fixing the screw shaft (10) to the rotary shaft of the motor utilizing a friction force.

Referring to claim 6, Obara discloses that the nut (11) is integrally provided on the pressure application shaft by rendering the pressure application shaft hollow (7), and forming a screw on the inner periphery of the pressure application shaft (7) at the end thereof.

Referring to claim 7, Obara discloses that the nut is substantially integrally provided on the pressure application shaft by rendering the pressure application shaft hollow, and fixing a nut to the inner periphery of the pressure application shaft at the end thereof.

Referring to claim 8, Obara discloses that the nut is substantially integrally provided on the pressure application shaft by fixing the nut to the pressure application shaft at the end thereof.

Referring to claim 9, Obara discloses an elastic body (A) disposed on the axis of the pressure application shaft through which the pressure application force exerts, and electromagnetic brake disposed on the rotary shaft of the motor.

Referring to claim 10, obara discloses a machining part (B) provided on the end of the rotary shaft opposite to the output side thereof, on which a manually operating handle is mounted.

Referring to claim 11, Obara discloses a machining part provided on the end of the screw shaft opposite to the output side of the rotary shaft, on which a manually operating handle is mounted.

Referring to claim 12, Obara discloses a driven part (C) that is provided on the rotary shaft of the motor or the screw shaft and positioned between the rear of a body of the motor and the front of a position detector for transmitting the of the motor and a manually operating driving part that is positioned eccentrically from the screw shaft for transmitting a turning torque to the driven part.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Obara (JP 07290251) in view of Honda (JP 09144834).

Obara discloses a driving unit as described on item 1 above. However, Obara does not disclose that the driven part is formed of a gear, and further comprising a machining part that is manually operable and is formed in a gear of the driving part connected to the gear of the driven part directly or by way of a serrated toothed belt; nor that the driven part is formed of a gear, the driving part meshing with the gear of the driven part is formed of a gear, and further comprising a standby unit formed of an elastic body for displacing the position of the gear of the driving part, wherein the gear of the driving part is rendered standby when the motor is operated by the standby unit; nor that the driven part is formed of a gear, the driving part meshing with the gear of the driven part is formed of a gear, and further comprising a guide shaft integrally provided with the gear of the driving part, wherein the gear of the driving can be taken out from the motor by the guide shaft when the motor operates.

Honda discloses that the driven part is formed of a gear (13a), and further comprising a machining part (A) that is manually operable and is formed in a gear (19)

of the driving part (13b) connected to the gear of the driven part (13a) directly or by way of a serrated toothed belt; and that

the driving part meshing with the gear of the driven part is formed of a gear, and further comprising a standby unit formed of an elastic body for displacing the position of the gear of the driving part, wherein the gear of the driving part is rendered standby when the motor is operated by the standby unit; and

a guide shaft (A) integrally provided with the gear (13b) of the driving part, wherein the gear of the driving can be taken out from the motor by the guide shaft when the motor operates, for the purpose of accurately positioning a movable body while reducing the number of parts.

It would have been obvious at the time the invention was made to modify the driving unit of Obara and provide it with the driven part being formed of a gear, and further comprising a machining part being manually operable and being formed in a gear of the driving part connected to the gear of the driven part directly or by way of a serrated toothed belt; the driving part meshing with the gear of the driven part being formed of a gear, and further comprising a standby unit formed of an elastic body for displacing the position of the gear of the driving part, wherein the gear of the driving part is being rendered standby when the motor is operated by the standby unit; and a guide shaft integrally provided with the gear of the driving part, wherein the gear of the driving can be taken out from the motor by the guide shaft when the motor operates as disclosed by Honda, for the purpose of accurately positioning a movable body while reducing the number of parts.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Perez whose telephone number is (703) 306-5443. The examiner can normally be reached on Monday through Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308 1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305 3432 for regular communications and (703) 305 3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

Guillermo Perez
December 16, 2000

NESTOR RAMIREZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800